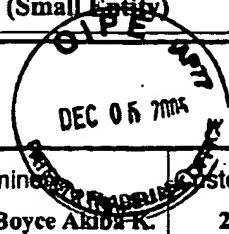


**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
98-084

In Re-Application Of: JAY S. WALKER ET AL.



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/223,901	December 31, 1998	ROBINSON, Boyce A. / K.	22927	3623	4361

Invention:

SYSTEM AND METHOD FOR ENCOURAGING COMPETITIVE PARTICIPATION IN AN AUCTION

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: _____

12/06/2005 ZJUHR1 00000023 500271 09223901
02 FC:2453 750.00 DA

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ Applicant claims small entity status. See 37 CFR 1.27

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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09/223,901	December 31,	ROBINSON, Boyce Akiba K.	22927	3623	4361

Invention:
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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**PETITION FOR REVIVAL OF ABANDONED APPLICATION
PURSUANT TO 37 C.F.R. 1.137(b).**

Through a review of the above-referenced case, it has come to Applicants' attention that the time limitation for follow up to the filing of a Notice of Appeal allowed by the USPTO was unintentionally missed.

Please find enclosed Transmittal Letter, Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity), Amendment Transmittal Letter, Request for Continued Examination (RCE) Transmittal and Amendment for your review and acceptance.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. Therefore, entry of the enclosed documents and revival of this application is respectfully requested.


Signature

Dated: November 30, 2005

Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
Walker Digital, LLC
203.461.7337/phone
203.461.7018/fax

Dalderucci@walkerdigital.com

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

November 30, 2005



Signature of Person Mailing Correspondence

Veronika S. Leliever

Typed or Printed Name of Person Mailing Correspondence

cc:

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

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In Re Application Of: **JAY S. WALKER ET AL.**

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Calculation and Payment of Fees

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$750.00
8. ☐ Fee for amendment in the amount of: _____
9. ☐ Fee for extension of time to reply to Office Action in the amount of: _____
10. ☐ Issue fee in the amount of: _____
11. ☒ Continuing application filing fee in the amount of: \$395.00
12. ☐ Terminal disclaimer fee in the amount of: _____
13. ☐ _____
- Total fees enclosed: \$1,145.00

The fee of **\$1,145** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account No. **500271**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be
included on this form. Provide credit card information and authorization on PTO-2038.**